

CITY OF MUSKEGON  
PLANNING COMMISSION  
REGULAR MEETING  
MINUTES

**July 14, 2011**

Chairman T. Michalski called the meeting to order at 4:03 p.m. and roll was taken.

MEMBERS PRESENT: L. Spataro, S. Warmington, B. Larson, B. Turnquist, T. Michalski,  
J. Doyle, W. Parker, B. Smith

MEMBERS ABSENT: B. Mazade, excused

STAFF PRESENT: M. Franzak, D. Renkenberger

OTHERS PRESENT: M. Vasquez, 2010 S. Getty St.

APPROVAL OF MINUTES

A motion that the minutes of the regular meeting of June 16, 2011 be approved, was made L. Spataro, supported by B. Turnquist and unanimously approved.

PUBLIC HEARINGS

Hearing: Case 2011-10: Request for a Special Use Permit for auto sales in a B-4, General Business District at 2010 S. Getty St., by Michael Vasquez. M. Franzak presented the staff report. This property was approved for rezoning from I-1, Light Industrial district to B-4, General Business district at last month's Planning Commission meeting. Per the Zoning Ordinance, auto sales must be located in a B-4 district and they require a Special Use Permit. This property has been used in the past as a car dealership as a legal non-conforming use. However, the use has been abandoned for more than two years so it has lost its grandfathered status, so a Special Use Permit is now required. Parcels to the north are zoned B-4, General Business, and parcels to the south are zoned I-1, Light Industrial. Medendorp Industrial Park is also located to the south. The parcel is roughly 16,652 square feet (0.38 acres), and there is adequate customer parking for this use. If the property remains fenced in, the owner must contact the Fire Marshall in regards to a lock box and key. A site plan was provided to board members.

M. Vasquez stated that he would like to open an auto sales lot at this location, and that there was a history of that type of use there. B. Turnquist asked if he had any inventory yet, how soon he planned to open, and what the hours of operation would be. M. Vasquez stated that he did have some cars already and that he'd like to open as soon as possible. He stated that he planned to be open weekdays from 9:00 am until 5:00 pm, and maybe a half day on Saturdays. B. Turnquist asked if he planned to make any improvements to the property. M. Vasquez stated that he couldn't do much right away until he started making money, but he planned to keep the property clean. At a later time he would like to paint, make fence repairs, and add lighting. B. Turnquist stated that the barbed wire around the lot looked uninviting and asked if it was going to remain there. M. Vasquez stated that if the property owner approved, he could remove it.

A motion to close the public hearing was made by L. Spataro, supported by B. Larson and unanimously approved.

A motion that the special land use permit per Section 1301 of Article XIII of the Zoning Ordinance, to allow sales space for the sale of automobiles in a B-4, General Business District at 2010 S. Getty St. by Michael Vasquez, be approved based on compliance with the City's Master Land Use Plan and conditions set forth in Section 2332 of the City of Muskegon Zoning Ordinance, with the conditions that 1) All signage requires a permit and must comply with the zoning ordinance, 2) The owner shall permit the Zoning Administrator or other zoning staff in the premises at reasonable times to review compliance with this permit, 3) The Special Land Use permit document shall be recorded with the register of deeds prior to establishment of the use, and 4) The Special Land Use permit shall become null and void within one year of the public hearing if the use has not been established or there is a violation of condition 1 – 3, was made by B. Larson, supported by L. Spataro and unanimously approved.

#### OLD BUSINESS

None

#### OTHER

L. Spataro stated that car lots were not allowed in any zoning district by right, and wondered if the City was putting unnecessary barriers in place for those types of businesses. He stated that would be something to look at in the future. M. Franzak stated that staff had begun looking into it, but requiring a special use permit allowed the City and Planning Commission the opportunity to ensure that lots were properly maintained. He discussed examples of some issues that had arisen with car lots in the past.

Board members and staff discussed the status of some other used auto sales facilities.

There being no further business, the meeting was adjourned at 4:15 p.m.